

Public Law 102-293  
102d Congress

## An Act

To authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, and for other purposes.

May 27, 1992  
[S. 452]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Colorado.  
South Dakota.  
Real property.

**SECTION 1. EKBERG-COPPER SPUR LAND EXCHANGE.**

(a) **AUTHORIZATION OF EXCHANGE.**—(1) As soon as practicable after receipt of an offer from the owner, the Secretary of Agriculture shall accept title to the approximately 427 acres of land located in Pennington County, South Dakota, described as "Tract A" and "Tract B", as generally depicted on a map entitled "Ekberg-Copper Spur Ranch Land Exchange—Proposed", dated September 1989, which lands shall thereupon become part of the Black Hills National Forest and shall be administered by the Secretary of Agriculture in accordance with the laws applicable to the National Forest System.

(2) Upon receipt of title to the land described in paragraph (1), the Secretary of Agriculture shall convey to the owner of that land all right, title, and interest of the United States in the approximately 560 acres of land located in Routt County, Colorado, described as the "Copper Spur Ranch—portion to Ekberg", as generally depicted on the map described in section 1(a).

(b) **MAP AND LEGAL DESCRIPTION.**—(1) As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a map and a legal description of the land conveyed to the Secretary of Agriculture pursuant to subsection (a)(1), and the map and description shall have the same force and effect as if they were included in this Act.

(2) The Secretary of Agriculture may correct clerical and typographical errors in the map and legal description filed pursuant to paragraph (1).

(3) The map and legal description filed pursuant to paragraph (1) shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(c) **RESERVATION OF EASEMENTS.**—(1) The land conveyed into private ownership pursuant to subsection (a)(2) land shall be subject to the conservation easement granted to the State of Colorado (Division of Wildlife) by the United States, acting by and through the Secretary of Agriculture, dated April 27, 1988, and recorded in Routt County, Colorado (Reception Numbered 375283, Book 637, pages 1741-43), on October 6, 1988.

(2)(A) The land conveyed into private ownership pursuant to subsection (a)(2) shall be subject to easements for ingress and egress through such lands for the benefit of the United States and the public granted between agencies of the United States on May 10, 1989, and recorded in Routt County, Colorado (Reception

## Contracts.

Numbered 380443, Book 643, pages 0051-0055) and all other easements of record.

(B)(i) The Bureau of Land Management and the owner of the Copper Spur Ranch shall enter into a cooperative agreement to study the feasibility of constructing access routes as alternatives to those provided by the easements described in subparagraph (A).

(ii) Upon agreement by the Bureau of Land Management on alternative access routes, the construction of such access routes at the expense of the owner of the Copper Spur Ranch, and the conveyance to the United States of easements for use of such access routes by the United States and the public, the Secretary shall execute and deliver to the owner of the Copper Spur Ranch a release or other appropriate form of instrument extinguishing the easements described in subparagraph (A).

(d) **EQUALIZATION OF PAYMENT.**—If the values of the lands exchanged pursuant to subsection (a) are not equal, they shall be equalized by the payment of cash as provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(c)) without regard to the 25 percent limitation contained in that section.

(e) **DATE OF EXCHANGE.**—The exchange of lands authorized by subsection (a) shall be completed not later than 1 year after the date of enactment of this Act.

Approved May 27, 1992.

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**LEGISLATIVE HISTORY—S. 452:**

**HOUSE REPORTS:** No. 102-516 (Comm. on Interior and Insular Affairs).

**SENATE REPORTS:** No. 102-220 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 137 (1991): Nov. 26, considered and passed Senate.

Vol. 138 (1992): May 12, considered and passed House.